

1624  
PATENT

ATTORNEY DOCKET NO. 00537/178002 - 082/US/PCT2/US

Certificate of Mailing: Date of Deposit: 4-16-2003

I hereby certify under 37 C.F.R. 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Alan F. Feeney

Printed name of person mailing correspondence

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: THURIEAU, Christophe Alain et al.  
Serial No.: 09/719,457  
Filed: JUNE 13, 2001  
Title: IMIDAZOLYL DERIVATIVES AND THEIR USE AS SOMATOSTATIN  
LIGANDS

Art Unit: 1624  
Examiner: LIU, HONG

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Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER AND FEE AUTHORIZATION

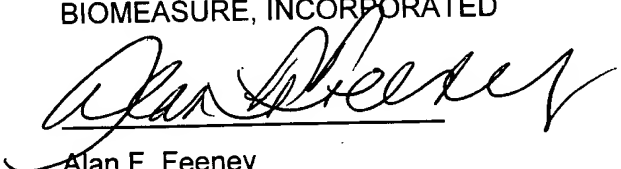
Transmitted herewith is the 2<sup>nd</sup> Supplemental Information Disclosure Statement (2 copies) with a Certificate of Mailing printed thereon; and an acknowledgement postcard.

Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. A duplicate copy of this letter is enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Date: 4-16-2003

  
Alan F. Feeney  
Attorney for Applicant(s)  
Reg. No. 43,609

27 Maple Street  
Milford, MA 01757-3650  
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Serial No.: 09/719,457 Examiner: LIU, HONG  
Filed: JUNE 13, 2001  
Title: IMIDAZOLYL DERIVATIVES AND THEIR USE AS SOMATOSTATIN LIGANDS

2<sup>nd</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE  
DEPOSIT ACCOUNT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97(c) together with either:
- ☒ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a Petition under 37 CFR 1.97(d)(2), and
- ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- ☐ Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.  
(Filed after payment of issue fee)

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04/29/2004 [ X ] The listed reference was cited in a Search Report in a counter part Hungarian application.  
00000002 000530 09719457

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Statement Under 37 CFR 1.97(e)

- ☒ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449, with copies of the references noted thereon.
- ☐ Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [ ], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference(s) HU 218,460 B, under 37 CFR 1.98(a)(3), is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed U.S. Patent No. 5,128,355 issued July 7, 1992.

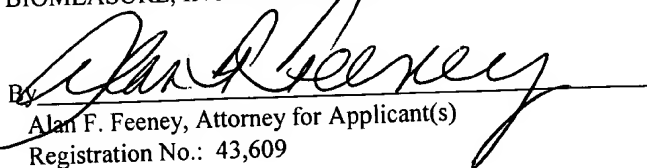
It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Assistant Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,  
BIOMEASURE, INCORPORATED

Dated: 4-16-2003

By   
Alan F. Feeney, Attorney for Applicant(s)  
Registration No.: 43,609

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PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.  
00537/178002

APPLICATION NO.  
09/719,457

APPLICANT  
Thurieu et al.

FILING DATE  
June 13, 2001

GROUP  
1624

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAM INER INI- TIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BA	5,128,355	07/07/92	Carini et al.		
	BB					

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	BC	HU 218 460 B	09/28/87	Hungarian			
	BD						
	BE						
	BF						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED